

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HC2, INC.,

Plaintiff,

1:20-cv-03178-LJL

-against-

ANDREW DELANEY,

DECLARATION OF ROBERT
ROTMAN IN OPPOSITION TO
MOTION TO DISMISS

Defendant.
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I, Robert Rotman, declare:

1. I am an attorney duly admitted to practice law in the State of New York and represent defendant Andrew Delaney. I am fully familiar with the pleadings in this matter and, unless otherwise indicated, I have personal knowledge of the facts herein.

2. I submit this declaration in opposition to HC2's motion, pursuant to Federal Rule of Civil Procedure 12(b)(6), to dismiss Defendant-Counter Claimant Andrew Delaney's Counterclaims, dated May 13, 2020 (Docket No. 26) (the "Counterclaims") with prejudice.

3. Attached hereto as Exhibit A is a true and correct copy of an email chain dated March 17, 2020 from Brian Hartstein of HC2 and attached hereto as Exhibit B is an email dated May 12, 2020 from Jenner & Block LLP, which are quoted, in part, in Defendant's Memorandum of Law in Opposition to Motion to Dismiss dated June 17, 2020.

I declare under penalty of perjury that the above is true and correct. Executed this 17th day of June 2020 in New York, New York.

/s/Robert Rotman
Robert Rotman, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2020, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system.

/s/Robert Rotman
Robert Rotman, Esq.